

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

JIMMY CULBERT

PLAINTIFF

V.

CIVIL ACTION NO. 3:19-CV-419-DPJ-FKB

PHIL BRYANT, IN HIS  
INDIVIDUAL CAPACITY

DEFENDANT

ORDER

Plaintiff Jimmy Culbert is an inmate in the custody of the Mississippi Department of Corrections who was convicted of a sex offense. He brings this suit under 42 U.S.C. § 1983 challenging a series of Mississippi statutes that make sex offenders ineligible for earned-time allowance, earned release, parole, and trusty-time allowance. Defendant Phil Bryant moved to dismiss [37], and United States Magistrate Judge F. Keith Ball recommended [50] that the Court grant that motion for Culbert's failure to state a claim. Culbert did not file objections to Judge Ball's R&R, and the time to do so has now expired.

Having reviewed the unopposed R&R, the Court adopts it as its opinion. Bryant's motion to dismiss [37] is granted, and this case is dismissed with prejudice. Culbert's motions to subpoena witnesses [23] and to amend [32] are denied as moot. A separate judgment will be entered in accordance with Federal Rule of Civil Procedure 58.

**SO ORDERED AND ADJUDGED** this the 8th day of September, 2020.

s/ Daniel P. Jordan III  
CHIEF UNITED STATES DISTRICT JUDGE